

HICKS THOMAS LLP  
8001 Folsom Boulevard, Suite 100  
Sacramento, California 95826  
Telephone: (916) 388-0833

Eric Grant (Bar No. 151064)  
grant@hicks-thomas.com  
Hicks Thomas LLP  
8001 Folsom Boulevard, Suite 100  
Sacramento, California 95826  
Telephone: (916) 388-0833  
Facsimile: (916) 691-3261

John B. Thomas (Bar No. 269538)  
jthomas@hicks-thomas.com  
Jay N. Gross (*pro hac vice*)  
jgross@hicks-thomas.com  
Hicks Thomas LLP  
700 Louisiana Street, Suite 2000  
Houston, Texas 77002  
Telephone: (713) 547-9100  
Facsimile: (713) 547-9150

Counsel for Defendant  
R.R. STREET & CO. INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

KFD ENTERPRISES, INC., a California  
corporation dba Norman's Dry Cleaner,

Plaintiff,

v.

CITY OF EUREKA, et al.,

Defendants.

AND ALL RELATED CROSS-CLAIMS  
AND THIRD-PARTY CLAIMS.

) No. 3:08-cv-04571-MMC

) **ORDER GRANTING**  
) **STIPULATED REQUEST FOR**  
) **VOLUNTARY DISMISSAL WITH**  
) **PREJUDICE OF PLAINTIFF KFD**  
) **ENTERPRISES, INC.'S ENTIRE**  
) **ACTION AGAINST DEFENDANT**  
) **R.R. STREET & CO. INC.**  
) **[Fed. R. Civ. P. 41(a)(2); Civil L.R. 7-12]**

) Courtroom: 7 (19th Floor)  
) Judge: Hon. Maxine M. Chesney

Pursuant to Federal Rule of Civil Procedure 41(a)(2) and Civil L.R. 7-12, Plaintiff KFD Enterprises, Inc. ("KFD") and Defendant R.R. Street & Co. Inc. ("Street") hereby stipulate and respectfully request judicial action as follows:

WHEREAS, KFD has asserted and prosecuted this action against Street, among other parties;

WHEREAS, pursuant to Federal Rule of Civil Procedure 41(a)(2), KFD now desires to dismiss with prejudice its entire action, and all claims encompassed therein, against Street, while continuing its action against all other parties, *cf. Hells Canyon Preservation Council v. United States Forest Service*, 403 F.3d 683, 687 (9th Cir. 2005) (observing that Rule 41(a) “allow[s] the dismissal of *all* claims against *one* defendant, so that a defendant may be dismissed from the entire action”); and

WHEREAS, KFD and Street agree that each party will bear its own costs and attorneys’ fees with respect to KFD’s action against Street;

THEREFORE, the parties hereto stipulate and respectfully request that this Court enter an order dismissing with prejudice KFD’s entire action, and all claims encompassed therein, against Street only, each party to bear its own costs and attorneys’ fees.

Dated: October 18, 2011.

Respectfully submitted,

/s/ Eric Grant

Eric Grant  
John B. Thomas  
Jay N. Gross  
Hicks Thomas LLP

Counsel for Defendant  
R.R. STREET & CO. INC.

(The filer hereby attests that concurrence in the filing of this document has been obtained from the signatory below.)

GREBEN & ASSOCIATES

/s/ Jeff Coyner

Jan A. Greben  
Jeff Coyner  
Danielle De Smeth


Attorneys for Plaintiff KFD ENTERPRISES, INC., a California corporation dba Norman’s Dry Cleaner

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 20, 2011.

  
Hon. MAXINE M. CHESNEY  
United States District Judge

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